

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

AMAZON.COM, INC; NEIL LINDSAY,  
individually and as an officer of  
Amazon.com, Inc.; RUSSELL  
GRANDINETTI, individually and as an  
officer of Amazon.com, Inc.; JAMIL GHANI,  
individually and as an officer of  
Amazon.com, Inc.,

Defendants.

CASE NO. 2:23-cv-00932-JHC

ORDER

This matter comes before the Court on the FTC's Motion to Compel Documents Relating to 2019 and 2022 Benchmarking Surveys. Dkt. ## 250 (sealed), 251 (redacted). The Court has considered the materials filed in support of and in opposition to the motion, the rest of the record, and the applicable law. Being fully advised, the Court enters this Order.

Within 30 days of this Order, Amazon shall produce documents responsive to the FTC's Requests for Production (RFP) Nos. 93 and 95, based on a search that meets the following criteria:

- 1 1. Amazon shall search for responsive documents within the custodial files of the  
2 following individuals: Colin Hulmes, Sebastian Koch, Ryu Iwasare, Neha Kashyap,  
3 Erik Grant, Noah Borun, Russell Grandinetti, Neil Lindsay, Jamil Ghani, and Lisa  
4 Leung.
  - 5 a. Regarding proposed custodian Keisuke Takagi, the FTC has stated it is willing  
6 to consider removing Mr. Takagi from its list of requested custodians after  
7 Amazon provides the agency with a “hit report.” Dkt. # 273 at 6 (quoting  
8 Dkt. # 265 at 65). Amazon has not yet provided the FTC with this report. *Id.*  
9 Thus, the Court ORDERS Amazon to provide the FTC with the requested hit  
10 report within seven days of this Order so that the parties can meet and confer  
11 on this issue. The FTC may request relief from the Court in the event of a  
12 continuing dispute.
- 13 2. Amazon shall use the following search terms (without regard to capitalization) to  
14 query the required custodial files:
  - 15 a. (mistak\* OR accident\* OR uninten\* OR intend\* OR intent\* OR trick\*) w/10  
16 (enrol\* OR sign-up OR signup\* OR upsell OR Prime)
  - 17 b. (mistak\* OR accident\* OR uninten\* OR intend\* OR intent\* OR trick\*) w/10  
18 (enrol\* OR sign-up OR signup\* OR upsell OR UPDP)
  - 19 c. “without realising”
  - 20 d. “without realizing”
  - 21 e. “join Prime while browsing the site”
  - 22 f. “join Prime during a purchase”
  - 23 g. “How did you join Prime”
  - 24 h. “Which best describes your experience”

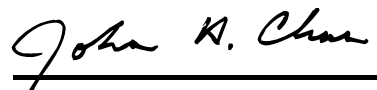
i. “Which best describes your experience with each service”

j. “12 actions”

k. Prime w/10 CX

3. Amazon shall also include as a search term in its custodial searches the name and email domain of the vendor who conducted the 2019 and 2022 surveys.
4. Amazon shall also apply any additional search term to the required custodial files that it has reason to believe will locate unique documents relating to the 2019 and 2022 surveys.
5. Amazon shall search for documents dated April-December 2019 or February 1, 2022-June 21, 2023.
6. Notwithstanding paragraphs 2 and 5 above, Amazon shall search the custodial files of Colin Hulmes by applying all search terms applied to all prior document custodians and by using the same date range applied to all prior document custodians.
7. Amazon shall collect all documents relating to the 2019 and 2022 surveys from the vendor who conducted the surveys.
8. When reviewing documents located using the above-described search terms and custodians, Amazon shall produce documents responsive to any of the FTC’s document requests, not solely those responsive to RFP Nos. 93 and 95.

Dated this 20th day of May, 2025.



John H. Chun  
United States District Judge